

110TH CONGRESS
2D SESSION

H. RES. 1040

Raising a question of the privileges of the House.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2008

Mr. BOEHNER submitted the following resolution; which was laid on the table

RESOLUTION

Raising a question of the privileges of the House.

Whereas on June 13, 2007, the publication The Politico reported, “Democratic leaders gave in to Republican demands that lawmakers be allowed to challenge individual member-requested projects from the final version of each appropriations bill.”;

Whereas on November 15, 2007, Representatives Jack Kingston and Frank Wolf introduced H. Con. Res. 263, to establish a Joint Select Committee on Earmark Reform, and for other purposes;

Whereas on March 6, 2008, The Hill reports in “Obey Criticizes Kingston on earmarks” that “Kingston said Obey has been ‘very irritated’ with his push for reform.”;

Whereas on March 5, 2008, House Appropriations Chairman David Obey sent a Dear Colleague to Republican Members stating “In light of the continuing discussion on ear-

marks in the Republican Conference, the Appropriations Committee needs to determine how it would proceed.”;

Whereas on March 6, 2008, The Hill reports in “Task Force Looking Beyond Earmarks” that “Obey issued a memo to Republicans in multiple-choice format asking them to check one of two boxes, stating whether they believed in a one-year moratorium and therefore would not be submitting earmark requests, or did not believe in a moratorium and would be submitting requests. Obey spokeswoman Kristin Brost said Obey called the memo his ‘anti-hypocrisy memo, aimed at House Minority Leader John Boehner’s (R–Ohio) repeated calls for a moratorium.’”;

Whereas the Chairman of the Appropriations Committee Dave Obey stated in said letter: “Because it is important for the Committee to move ahead with bills in a timely fashion, I will assume that any Member not returning this form by March 19, 2008 wishes to see Congressional earmarks discontinued and will therefore be submitting no request for fiscal year 2009.”;

Whereas House Rule XXIII Clause 16, states that a Member may not condition the inclusion of language to provide funding for a congressional earmark on any vote cast by another Member; and

Whereas the Chairman of the Appropriations Committee, Dave Obey, has conditioned the receipt of an earmark from the Committee on Appropriations on a Member’s opposition to a moratorium on earmarks: Now, therefore, be it

- 1 *Resolved*, That the Committee on Standards of Offi-
- 2 cial Conduct is directed to investigate without further

- 1 delay violations of House rules by Representative Dave
- 2 Obey and report its findings and recommendations to the
- 3 House, including a recommendation regarding the appro-
- 4 priate action for Representative Obey's violations.

